



Entered on Docket
September 21, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler
United States Bankruptcy Judge

LEWIS AND ROCA LLP

Robert M. Charles, Jr. (NV 6593)
John Hinderaker (AZ 018024)
Marvin Ruth (NV 10979)
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, Nevada 89169-5996
Telephone (702) 949-8320
Facsimile (702) 949-8321
Email: rcharles@lrlaw.com
jhinderaker@lrlaw.com
mruth@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Fourth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
Fiesta/USA Stoneridge Loan**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m.

The Court having considered the "Fourth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in Fiesta/USA Stoneridge Loan," ("Fiesta/USA Stoneridge Loan") [DE 8686] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record

1 that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders'
2 right to repayment by the borrower or from the collateral securing the Fiesta/USA
3 Stoneridge Loan; and good cause appearing:

4 **IT IS ORDERED** that:

- 5 1. The Objection [DE 8686] is sustained; and
6 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
7 claims are based upon an investment in the Fiesta/USA Stoneridge Loan.
8

9 PREPARED AND RESPECTFULLY SUBMITTED BY:

10 **LEWIS AND ROCA LLP**
11

12 By /s/ John Hinderaker (AZ #018024)

13 Robert M. Charles, Jr.

14 John Hinderaker (*pro hac vice*)

15 3993 Howard Hughes Parkway, Ste. 600

16 Las Vegas, Nevada 89169-5996

17 Telephone: (702) 949-8320

18 Facsimile: (702) 949-8321

19 *Attorneys for USACM Liquidating Trust*
20
21
22
23
24
25
26

LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

#

**USACM Trust
Fiesta Stoneridge
Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Fiesta USA/Stoneridge Loan
10725-01190	11/10/2006	Hurt, Porter A	Bardellini Straw & Cavin LLP Attn C Randall Bupp 2000 Crow Canyon PL Ste 330 San Ramon, CA 94583	200,000.00	100,000.00
10725-01297	11/10/2006	Kiven, Norman	Andrew J Abrams Esq Sugar Friedberg & Felsenthal. LLP 30 N Lasalle St., Ste 3000 Chicago, IL 60602	1,040,000.00	Unknown
10725-01478	11/15/2006	Kiven, Norman	Andrew J Abrams Esq Sugar Friedberg & Felsenthal LLP 30 N Lasalle St., Ste 3000 Chicago, IL 60602	96,496.00	Unknown
10725-02480	6/4/2007	Kwiatkowski Revocable Trust Dated 12/17/04	C/O Paul L Kwiatkowski And Colita Jo Kwiatkowski Trustees 8911 Q Street, Apt 308C Omaha, NE 68127-4855	92,386.76	Unknown
10725-02273	1/12/2007	Louise Teeter Ira Rollover	5301 Beethoven Street, Suite 160 Los Angeles, CA 90066	898,523.18	55,000.00
10725-02383	1/16/2007	Minter Family 1994 Trust	Douglas & Elizabeth F Minter Ttees 5389 Conte Dr Carson City, NV 89701	1,244,089.74	150,000.00
10725-01175	11/10/2006	Nix, John	836 Temple Rock Ct Boulder City, NV 89005	710,937.34	75,000.00
10725-02423	1/12/2007	Pinsker, Donald H	8650 W Verde Way Las Vegas, NV 89149-4145	1,633,057.16	17,000.00
10725-02281	1/12/2007	Roisentul Family Trust	Saul & Ilene Roisentul Trustees 74075 Kokopelli CIR Palm Desert, CA 92211-2075	840,536.32	50,000.00
10725-01419	12/4/2006	S&P Davis Limited Partnership	737 Bannerman Lane Fort Mill, SC 29715	419,981.00	25,000.00

EXHIBIT A